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CENTRAL FAX CENTER****MAR 26 2007****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Yaarit Silverstone

Serial No: 09/551,181

Filed: April 17, 2000

Title: SUPPLY CHAIN WORKFLOW
SERVICES IN A CONTROL
MANUFACTURING
FRAMEWORK

Group Art Unit: 3623

Examiner: R. Jeanty

Docket No: 60021-358201

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Debra J. Bruck
Debra J. Bruck3-26-07
Date**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT**

Dear Sir:

This communication is in response to the Notice of Abandonment mailed August 28, 2006, in the above-identified application. The Notice states that the application was abandoned for failure to file a proper reply to the Office Communication mailed on January 9, 2006. Applicants respectfully submit that a timely and proper reply was filed on Monday, July 10, 2006.

Applicants' representative contacted the Examiner by telephone on March 23, 2007. The Examiner requested that a Petition be submitted for Revival of the Application. In accordance with the Examiner's request, Applicants are resubmitting the reply along with the post card received from the Patent Office for the original submission. A copy of the Image File Wrapper

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downloaded using Private Pair is also attached showing the chronological order of documents filed and received by the USPTO. Applicants respectfully request that the Notice of Abandonment be withdrawn and that the present amendment and response be reconsidered.

Respectfully submitted,

By



Rudolph P. Hofmann, Reg. No. 38,187
Customer No. 29838

OPPENHEIMER WOLFF & DONNELLY LLP
45 South Seventh Street, Suite 3300
Minneapolis, Minnesota 55402
Telephone: 612-607-7340

Serial No. 09/551,181

In reply to Office Action dated January 9, 2006

Page 1 of 10

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MAR 26 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial #: 09/551,181
Applicant: Silverstone
Filed: 4/17/2000
Title: SUPPLY CHAIN WORKFLOW SERVICES IN A CONTROL MANUFACTURING
FRAMEWORK

TC/AU: 3623
Examiner: Jeanty, Romain
Docket #: 060021-358201
Customer #: 29,838

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Janet Byrne
Janet Byrne

7-10-06
Date

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO OFFICE ACTION

Dear Sir:

In response to the Office Action mailed January 9, 2006, Applicant submits the following amendments and remarks.

Claims begins on page two (2) of this paper.

Remarks begin on page eight (8) of this paper.

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Amendments to the Claims

This listing of claims will replace all prior versions (and listings) of claims without prejudice in the application.

Listing of Claims

1-18 (canceled)

19. (currently amended) In a contract manufacturing framework, a method of providing access to services comprising:

providing a database including a request for proposal ("RFP") mechanism, a nondisclosure agreement mechanism, a plurality of service provider data structures and a plurality of manufacturer data structures, wherein each service provider data structure includes a description of service provided by a particular service provider, and wherein each manufacturer data structure includes a description of offerings of a particular manufacturer;

Identifying a particular data structure based on a request for proposal from a user utilizing the request for proposal mechanism, wherein the user is a service provider or a manufacturer;

receiving nondisclosure agreement data from the user wherein the nondisclosure agreement data is based on a nondisclosure agreement initiated with the nondisclosure agreement mechanism that is independently accessible by both the user and a third party using the contract manufacturing framework to initiate the nondisclosure agreement;

storing the nondisclosure agreement data in the database with the nondisclosure agreement mechanism for later retrieval of the nondisclosure agreement data; and

affording network-based project management services to the user based on the request for proposal and the identified data structure, wherein affording project management services includes managing assets in a network-based supply chain,

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In reply to Office Action dated January 9, 2006

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Including optimizing use of service provider assets and manufacturer assets and providing maintenance and service of service provider assets and manufacturer assets.

20. (previously presented) A method as recited in claim 19, further including the step of tracking a status of manufacturing processes performed by the identified service provider.
21. (previously presented) A method as recited in claim 19, further including the step of allowing the user to inquiry service engineers.
22. (previously presented) A method as recited in claim 19, further including the step of allowing the user to inquiry service chemists.
23. (previously presented) A method as recited in claim 19, wherein the database is accessed utilizing the Internet.
24. (canceled)
25. (currently amended) A computer program embodied on a computer readable medium for providing supply chain/workflow services in a contract manufacturing framework comprising:

a code segment for providing a database including a request for proposal ("RFP") mechanism and a plurality of service provider data structures and a plurality of manufacturer data structures, wherein each service provider data structure includes a description of service provided by a particular service provider, and wherein each manufacturer data structure includes a description of offerings of a particular manufacturer;

a code segment for identifying a particular data structure based on a request for proposal from a user utilizing the request for proposal mechanism, wherein the user is a service provider or a manufacturer;

a code segment for receiving nondisclosure agreement data from the user wherein the nondisclosure agreement data is based on a nondisclosure agreement initiated

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with the nondisclosure agreement mechanism that is Independently accessible by both the user and a third party using the contract manufacturing framework to initiate the nondisclosure agreement;

a code segment for storing the nondisclosure agreement data in the database with the nondisclosure agreement mechanism for later retrieval of the nondisclosure agreement data; and

a code segment for affording network-based project management services to the user based on the request for proposal and the identified data structure, wherein affording project management services includes managing assets in a network-based supply chain, including optimizing use of service provider assets and manufacturer assets and providing maintenance and service of service provider assets and manufacturer assets.

26-30. (canceled)

31. (currently amended) In a contract manufacturing framework, a method of providing access to services comprising:

logic for providing a database including a request for proposal ("RFP") mechanism and a plurality of service provider data structures and a plurality of manufacturer data structures, wherein each service provider data structure includes a description of service provided by a particular service provider, and wherein each manufacturer data structure includes a description of offerings of a particular manufacturer;

logic for identifying a particular data structure based on a request for proposal from a user utilizing the request for proposal mechanism, wherein the user is a service provider or a manufacturer;

logic for receiving nondisclosure agreement data from the user wherein the nondisclosure agreement data is based on a nondisclosure agreement initiated with the nondisclosure agreement mechanism that is independently accessible by both the user and a third party using the contract manufacturing framework to initiate the nondisclosure agreement;

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logic for storing the nondisclosure agreement data in the database with the nondisclosure agreement mechanism for later retrieval of the nondisclosure agreement data; and

logic for affording network-based project management services to the user based on the request for proposal and the identified data structure, wherein affording project management services includes managing assets in a network-based supply chain, including optimizing use of service provider assets and manufacturer assets and providing maintenance and service of service provider assets and manufacturer assets.

32-36. (canceled)

37. (withdrawn) A method for providing a contract manufacturing framework comprising:

- (a) providing a database having information on a plurality of service providers;
- (b) using said database to match a user to a service provider selected from among said plurality of service providers based on services provided by the selected service provider;
- (b) providing supply chain/workflow services for services provided by the service providers;
- (c) allowing the user access to technical services concerning services provided by the service providers utilizing the database; and
- (d) providing transaction services to the user utilizing a request for economic transaction proposal mechanism and a nondisclosure agreement mechanism located on the database.

38. (withdrawn) A method as recited in claim 37, wherein the step of matching the user to a service provider includes querying the database using request data from the user, identifying particular service provider information based on the request data, and sending the user the identified service provider information.

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In reply to Office Action dated January 9, 2006

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39. (withdrawn) A method as recited in claim 37, wherein the step of providing supply chain/workflow services includes identifying particular service provider information based on a request for proposal from the user utilizing the request for proposal mechanism, and affording project management services to the user based on the request for proposal and the identified service provider information.
40. (withdrawn) A method as recited in claim 37, wherein the step of allowing the user access to technical services includes identifying particular service provider information based on a request data from the user, wherein the particular service provider information includes information concerning process design services, and sending the user data concerning process design services utilizing the identified service provider information.
41. (withdrawn) A method as recited in claim 37, wherein the step of providing transaction services includes creating a request for an economic transaction proposal utilizing the request for economic transaction proposal mechanism, receiving nondisclosure agreement data from the user, and cataloging the nondisclosure agreement data utilizing a nondisclosure agreement mechanism.
42. (withdrawn) A method as recited in claim 37, wherein said plurality of service providers is a plurality of chemical contract manufacturing service providers.
43. (withdrawn) A computer readable medium having computer code written therein capable of causing a general purpose computer to implement the method of claim 37.
44. (withdrawn) In a contract manufacturing framework, a method of providing access to services comprising:
 - (a) providing a database including a plurality of service provider data structures, wherein each service provider data structure includes a description of a particular service provider;
 - (b) querying the database using request data from a user;

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- (c) identifying a particular service provider data structure from among said plurality of service provider data structures based on the request data, wherein the particular service provider data structure includes information concerning process design services;
 - (d) sending the user information concerning process design services utilizing the identified service provider data structure.
45. (withdrawn) A method as recited in claim 44, wherein the identified service provider data structure includes information concerning optimization services.
46. (withdrawn) A method as recited in claim 44, wherein the identified services provider data structure includes information concerning technical experts available for consultation.
47. (withdrawn) A method as recited in claim 44, wherein the technical experts available for consultation include engineering consultation services.

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Remarks

This is in response to the Office Action mailed on January 9, 2006. Claims 19-23, 25, and 31 are pending and rejected. With this amendment, the independent claims 19, 25 and 31 are amended. The remaining claims are unchanged. No pending claims are cancelled, and no new claims are added.

The pending claims were rejected under 35 U.S.C. 103(a) as being unpatentable over Thomas in view of Dilger and in further in view of Anecki (a new reference in the combination). Applicants respectfully challenge the propriety of the Anecki reference as prior art, or at least the extent to what of the disclosure is prior art. Applicants also submit that the amended claims are patentably distinguishable from the combination of references regardless of the Examiner's determination on the prior art status and scope of Anecki.

Applicants urge careful reconsideration of the application of the Anecki patent reference as prior art to the pending claims. Applicants respectfully submit that Anecki can qualify as prior art only under 35 U.S.C. 102(e). Applicants respectfully point out that the filing date of the Anecki utility patent application upon which the reference is based is March 7, 2001, which is after the filing date of April 17, 2000, of the present application. The filing date of the Anecki provisional application, however, is March 7, 2000. Applicants respectfully submit that the Anecki patent reference does not in its entirety qualify as prior art, but that it qualifies as prior art at most only to the extent of subject matter disclosed in the provisional application. In this case, there is significant discrepancy of the scope of disclosure between the Anecki provisional and the Anecki patent. To the extent that subject matter is not disclosed in the Anecki provisional, at least, the subject matter of the Anecki patent should not be considered prior art to the pending claims.

Further, Applicants respectfully submit that the prior art of record does not show or suggest the features of the amended claims. For example, the prior art does not show the

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features of "the nondisclosure agreement data is based on a nondisclosure agreement initiated with the nondisclosure agreement mechanism that is independently accessible by both the user and a third party to the agreement using the contract manufacturing framework to initiate the nondisclosure agreement."

These features are not shown or suggested in the Anecki patent or in the Anecki provisional. The Anecki provisional shows a system in which a company representative logs on and completes necessary fields for a nondisclosure agreement. Based on the inputs into these fields, a proposed nondisclosure agreement is prepared for the company representative. The company representative then sends, either by fax or e-mail, the proposed agreement to a third party in the typical manner, who then executes (or modifies, as would be in their prerogative) and returns the agreement to the company. This generated nondisclosure agreement is then stored on the system.

The Anecki provisional does not provide support for the portions relied upon in making the rejections of the claims in the Office Action, i.e., Anecki patent co. 19, line 56 through col. 20, line 40. For example, there is no mention in the Anecki provisional of "receiving an approval message from a remote party other than a marketing representative or the customer . . ." and other features.

Also, there is no support in either the Anecki patent or the Anecki provisional that "a non-disclosure agreement is initiated with the nondisclosure agreement mechanism that is independently accessible by both the user and a third party using the . . . framework." In particular, the Anecki provisional only discloses or suggest that a company representative has access to the company nondisclosure agreement system. There is no disclosure or suggestion in the Anecki patent that someone other than a company representative have access to the company system.

Serial No. 09/551,181

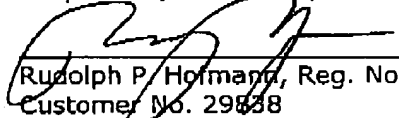
In reply to Office Action dated January 9, 2006

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Because at least these features are missing from each of the cited references separately, these features cannot be found in any proposed combination of the references. Accordingly, Applicants respectfully request removal of the rejection, favorable action on the application, and a Notice of Allowance.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at 612-607-7340. If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees including fees for any extension of time, to Deposit Account No. 50-1901 (Docket 60021-358201).

Respectfully submitted,



Rudolph P. Hofmann, Reg. No. 38,187
Customer No. 29838

OPPENHEIMER WOLFF & DONNELLY LLP
Plaza VII, Suite 3300
45 South Seventh Street
Minneapolis, MN 55405
Phone: 612-607-7340

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yaarit Silverstone

Serial No: 09/551,181

Filed: April 17, 2000

Title: SUPPLY CHAIN WORKFLOW
SERVICES IN A CONTROL
MANUFACTURING
FRAMEWORK

Docket No: 60021-358201

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Group Art Unit: 3623

Examiner: R. Jeanty

Commissioner for Patents
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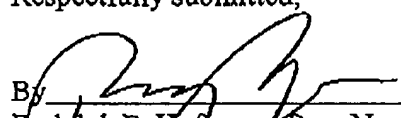

Janet Byrne Date 7-10-06PETITION FOR THREE MONTH EXTENSION
OF TIME (37 C.F.R. 1.136(A))

Dear Sir:

Applicant respectfully requests a Three month extension of time to respond to the Office Action dated January 9, 2006. The original time for response was set to expire April 9, 2006.

The Commissioner is hereby authorized to charge the three month extension fee of \$1020.00 (large entity fee), and any fees associated with this communication to deposit account no. 50-1901.

Respectfully submitted,


By Rudolph P. Hofmann, Reg. No. 38,187
Customer No. 29838
OPPENHEIMER WOLFF & DONNELLY LLP
45 South Seventh Street, Suite 3300
Minneapolis, Minnesota 55402
Telephone: 612-607-7340

09/551,181 Supply chain/workflow services in a control manufacturing framework 03-23-2007::15:05:46

This application is officially maintained in electronic form. To View: Click the desired Document Description. To Download and Print: Check the desired document(s) and click Start Download.

Available Documents

Mail Room Date	Document Description	Document Category	Page Count
09-14-2006	Fee Worksheet (PTO-06)	PROSECUTION	1
09-14-2006	NPL Documents	PRIOR ART	40
09-14-2006	Untimely (Late) Amendment Filed	PROSECUTION	1
09-14-2006	Claims	PROSECUTION	6
09-14-2006	Applicant Arguments/Remarks Made in an Amendment	PROSECUTION	3
09-14-2006	Information Disclosure Statement (IDS) Filed	PROSECUTION	4
09-14-2006	Miscellaneous Incoming Letter	PROSECUTION	3
09-14-2006	Extension of Time	PROSECUTION	1
08-28-2006	Abandonment	PROSECUTION	2
07-12-2006	NPL Documents	PRIOR ART	39
07-12-2006	Information Disclosure Statement (IDS) Filed	PROSECUTION	4
07-12-2006	Applicant Arguments/Remarks Made in an Amendment	PROSECUTION	3
07-12-2006	Claims	PROSECUTION	6
07-12-2006	Amendment - After Non-Final Rejection	PROSECUTION	1
04-10-2006	Information Disclosure Statement (IDS) Filed	PROSECUTION	4
04-10-2006	Status Letter Mailed to Applicant	PROSECUTION	2
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01-09-2006	List of references cited by examiner	PRIOR ART	1
01-09-2006	NPL Documents	PRIOR ART	2
01-09-2006	Search Information Including classification, databases and other search related notes	PROSECUTION	1
01-08-2006	Examiner's search strategy and results	PROSECUTION	1
12-05-2005	Fee Worksheet (PTO-06)	PROSECUTION	1
12-05-2005	Fee Worksheet (PTO-06)	PROSECUTION	1
11-29-2005	Amendment Submitted/Entered with Filing of CPA/RCE	PROSECUTION	1
11-29-2005	Claims	PROSECUTION	6
11-29-2005	Applicant Arguments/Remarks Made in an Amendment	PROSECUTION	3
11-29-2005	Miscellaneous Incoming Letter	PROSECUTION	2
11-29-2005	Request for Continued Examination (RCE)	PROSECUTION	1
11-28-2005	Miscellaneous Incoming Letter	PROSECUTION	1
11-28-2005	Claims	PROSECUTION	3
09-19-2005	Advisory Action (PTOL-303)	PROSECUTION	3
08-29-2005	Fee Worksheet (PTO-06)	PROSECUTION	1
08-29-2005	Amendment After Final	PROSECUTION	2
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08-29-2005	Applicant Arguments/Remarks Made in an Amendment	PROSECUTION	4
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02-21-2005	Amendment - After Non-Final Rejection	PROSECUTION	2
02-21-2005	Claims	PROSECUTION	6
02-21-2005	Applicant Arguments/Remarks Made in an Amendment	PROSECUTION	5
11-22-2004	Non-Final Rejection	PROSECUTION	7
11-22-2004	List of references cited by examiner	PRIOR ART	1

11-22-2004	NPL Documents	PRIOR ART	9
11-22-2004	Index of Claims	PROSECUTION	1
08-18-2004	Amendment - After Non-Final Rejection	PROSECUTION	2
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08-18-2004	Applicant Arguments/Remarks Made in an Amendment	PROSECUTION	3
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03-02-2004	Response to Election / Restriction Filed	PROSECUTION	2
03-02-2004	Claims	PROSECUTION	5
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02-02-2004	Requirement for Restriction/Election	PROSECUTION	5
12-01-2003	Information Disclosure Statement (IDS) Filed	PROSECUTION	4
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10-29-2003	Response to Election / Restriction Filed	PROSECUTION	1
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10-29-2003	Applicant Arguments/Remarks Made in an Amendment	PROSECUTION	1
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10-29-2003	Transmittal of New Application	PROSECUTION	1
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05-16-2003	Request for Continued Examination (RCE)	PROSECUTION	1
05-16-2003	Transmittal to TC	PROSECUTION	1
12-13-2002	Final Rejection	PROSECUTION	9
12-13-2002	List of references cited by examiner	PRIOR ART	1
12-13-2002	List of References cited by applicant and considered by examiner	PRIOR ART	1
12-06-2002	Examiner's search strategy and results	PROSECUTION	10
10-08-2002	Amendment - After Non-Final Rejection	PROSECUTION	1
10-08-2002	Claims	PROSECUTION	3
10-08-2002	Applicant Arguments/Remarks Made in an Amendment	PROSECUTION	7
10-08-2002	Extension of Time	PROSECUTION	2
10-08-2002	Transmittal to TC	PROSECUTION	2
09-03-2002	Information Disclosure Statement (IDS) Filed	PROSECUTION	3
06-03-2002	Non-Final Rejection	PROSECUTION	9
06-03-2002	List of references cited by examiner	PRIOR ART	1
05-29-2002	Examiner's search strategy and results	PROSECUTION	20
03-06-2002	Notice of Change of Address placed in File Wrapper due to EBC Customer Number update	PROSECUTION	1
08-24-2000	Applicant Response to Pre-Exam Formalities Notice	PROSECUTION	2
07-25-2000	Pre-Exam Formalities Notice	PROSECUTION	1
07-11-2000	Applicant Response to Pre-Exam Formalities Notice	PROSECUTION	3
07-11-2000	Oath or Declaration filed	PROSECUTION	2
05-23-2000	Pre-Exam Formalities Notice	PROSECUTION	1
04-17-2000	Issue Information including classification, examiner, name, claim, renumbering, etc.	PROSECUTION	1
04-17-2000	Search information including classification, databases and other search related notes	PROSECUTION	1
04-17-2000	Index of Claims	PROSECUTION	1

04-17-2000	Transmittal of New Application	PROSECUTION	2
04-17-2000	Authorization for Extension of Time all replies	PROSECUTION	2
04-17-2000	Drawings	PROSECUTION	20
04-17-2000	Specification	PROSECUTION	45
04-17-2000	Claims	PROSECUTION	3
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Inventor: Silverstone et al.
Title: SUPPLY CHAIN WORKFLOW SERVICES IN A CONTROL
MANUFACTURING FRAMEWORK
Serial No.: 09/551,181

- ☒ Amendment and Response to Office Action
- ☒ Petition for Three Month Extension of Time
- ☒ Information Disclosure Statement with PTO 1449 and copy of reference cited
- ☒ Postcard

Atty/Secy: Rudolph P. Hofmann:jb
Date: July 10, 2006
File No. 60021-358201

OPPENHEIMER: 2282708 v01 07/10/2006

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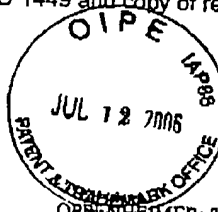
Inventor: Silverstone et al.
Title: SUPPLY CHAIN WORKFLOW SERVICES IN A CONTROL
MANUFACTURING FRAMEWORK
Serial No.: 09/551,181

- ☒ Amendment and Response to Office Action
- ☒ Petition for Three Month Extension of Time
- ☒ Information Disclosure Statement with PTO 1449 and copy of reference cited
- ☒ Postcard

Atty/Secy: Rudolph P. Hofmann:jb
Date: July 10, 2006
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OPPENHEIMER: 2282708 v01 07/10/2006

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FAX: 571.273.8300

FROM: Rudolph P. Hofmann
DIRECT DIAL: 612.607.7340
EMAIL: RHofmann@Oppenheimer.com
RE: Serial No.: 09/551,181
Our File No.: 60021-358201

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that following documents are being facsimile transmitted on the date shown below, to Mail Stop Petitions, Commissioner for Patents: 1) Petition for Revival of an Application for Patent; 2) Amendment and Response to Office Action, 3) Petition for Extension of Time, 4) Image File Wrapper from USPTO website.

Debra J. Bruck

Debra J. Bruck

March 26, 2007

Date

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